

AO 440 (Rev. 12/09) Summons in a Civil Action

FILED

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

APR 15 2013

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

PINNACLE PACKAGING COMPANY, Inc., et al.,

Plaintiff

v.

ONE EQUITY PARTNERS LLC, ET AL.

Defendant

Civil Action No. 12-CV-537-JED-TLW

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main
Germany

A lawsuit has been filed against you.

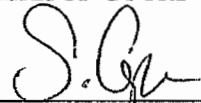
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Laurence L. Pinkerton, Esq.
PINKERTON & FINN, P.C.
15 E. 5th Street, Penthouse Suite
Tulsa, Oklahoma 74103-4303
(918) 587-1800

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Phil Lombardi

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: Jan 14, 2013

**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS**

DEMANDE

**AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

**Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965**

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Hage, le 15 Novembre 1965.

Oberlandesgericht Frankfurt am Main	
25. Feb. 2013	
* Anl. -	* Beleg(e) -
judiciaires en matière civile	Anl. -)
Doppel mit	
Band Akten	Hoff

Identity and address of the applicant
Identité et adresse du requérant

**L. Celeste Ingalls **
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lci@foreignservices.com
Facsimile No. 1-503-222-3950**

Address of receiving authority
Adresse de l'autorité destinataire

**Oberlandesgericht Frankfurt am Main
Zeil 42
Postfach 10 01 01
60313 Frankfurt am Main
Deutschland
Tel.: +49 (69) 1367 01 Fax: +49 (69) 1367 2976**

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

*Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savior:
(identité et adresse)*

**One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main**

- ☒ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).
- ☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b)*
- ☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
c) le cas échéant, par remise simple (article 5, alinéa 2)*.

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

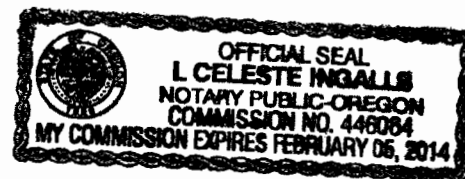
Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents

Énumération des pièces

Done at Portland, Oregon, USA, the 2nd day of Feb, 2013.
Fait à Portland, Oregon, USA, le...

Signature and/or stamp.
Signature et/ou cachet



Executed "Summary" (2 pages)

*** Order Appointing International Process Server

*** Summons in a Civil Action

*** Amended Complaint, with Exhibits

L. Celeste Ingalls

* Delete if inappropriate
Rayer les mentions inutiles

** **Authorized applicant pursuant to Rule 4(c)(2) of the Federal Rules of Civil Procedure, Public Law 97-462 AND
United States District Court Order**

*** **With German translation**

SUMMARY OF THE DOCUMENT TO BE SERVED

ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Hage, le 15 Novembre 1965.

(article 5, fourth paragraph)

(article 5, alinéa 4)

Name and address of the requesting authority: Charles Barrett, Esq.
Nom et adresse de l'autorité requérante: Charles Barrett PC
6518 Highway 100, Suite 210
Nashville, TN 37205, USA

Particulars of the parties*: Pinnacle Packaging Company, Inc., et al. PLAINTIFFS
Indentité des parties: One Equity Partners LLC, et al. DEFENDANTS

JUDICIAL DOCUMENT**

ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte: To give notice to defendant, One Equity Partners (Europe) GmbH, of institution against it of a claim for damages and to summon it to answer the claim.

Nature and purpose of the proceedings, and, where appropriate, the amount in dispute:

Nature et objet de l'instance, le cas échéant, le montant du litige:

Civil claim alleging breach of contract and related actions. Plaintiffs' claims include, but are not limited to, allegations that the Defendants breached their contract with Plaintiffs causing plaintiffs to suffer damages. Plaintiffs seek judgment for damages in an amount to be determined including, but not limited to, attorneys fees, costs of suit, and such other and further relief as the court deems just and proper.

Date and place for entering appearance:** N/A

Date et lieu de la comparution:

Court which has given judgment:** N/A

Jurisdiction qui a rendu la décision:

Date of judgment:** N/A

Date de la décision:

Time limits stated in the document:**

Indication des délais figurant dans l'acte: Defendant is required to serve an ANSWER upon Plaintiff's attorney and file same ANSWER with the Court within twenty-one (21) days after receipt of the Summons in a Civil Action and other documents herein.

EXTRAJUDICIAL DOCUMENT*

ACTE EXTRAJUDICIAIRE

Nature and purpose of the document: N/A

Nature et objet de l'acte:

Time limits stated in the document:** N/A

Indication des délais figurant dans l'acte:

*** If appropriate, identity and address of the person interested in the transmission of the document.**

S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

**** Delete if inappropriate.**

Rayer les mentions inutiles.

ZUSAMMENFASSUNG DES ZUZUSTELLENDEN DOKUMENTS
SEITE 2 VON 2
SUMMARY OF THE DOCUMENT TO BE SERVED
PAGE 2 OF 2

*Übereinkommen über die Zustellung und Übermittlung gerichtlicher und außergerichtlicher Urkunden in Zivil- und Handelssachen im Ausland,
unterzeichnet in Den Haag am 15. November 1965*

(Artikel 5, vierter Paragraph)

*Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters,
signed at The Hague, the 15th of November 1965*

(Article 5, fourth paragraph)

Identität und Anschrift des Empfängers:
Identity and address of the addressee / --:

One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main

WICHTIG

DAS BEILIEGENDE DOKUMENT IST VON RECHTLICHER NATUR UND KANN SICH AUF IHRE RECHTE UND VERPFLICHTUNGEN AUSWIRKEN. DIE ZUSAMMENFASSUNG DES ZUZUSTELLENDEN DOKUMENTS GIBT IHNEN EINIGE INFORMATIONEN ÜBER SEINE NATUR UND SEINEN ZWECK. SIE SOLLTEN JEDOCH DAS DOKUMENT SELBST GENAU DURCHLESEN. ES IST UNTER UMSTÄNDEN ERFORDERLICH, SICH RECHTLICH BERATEN ZU LASSEN.

WENN IHRE FINANZIELLEN RESSOURCEN NICHT AUSREICHEN, SOLLTEN SIE INFORMATIONEN ÜBER DIE MÖGLICHKEIT DES BEZUGS VON PROZESSKOSTEN- ODER BERATUNGSHILFE ENTWEDER IM LAND, IN DEM SIE WOHNEN, ODER IM LAND, IN DEM DAS DOKUMENT AUSGEGEBEN WURDE, EINHOLEN.

FRAGEN ZUR VERFÜGBARKEIT VON PROZESSKOSTEN- ODER BERATUNGSHILFE IN DEM LAND, WO DAS DOKUMENT AUSGEGEBEN WURDE, KÖNNEN GERICHTET WERDEN AN:

Legal Aid Services of Oklahoma, Inc. Administrative Offices
2915 N Classen Boulevard, Suite 500
Oklahoma City, OK 73106
1-888-534-5243

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD, HOWEVER, READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT, YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

Legal Aid Services of Oklahoma, Inc. Administrative Offices
2915 N Classen Boulevard, Suite 500
Oklahoma City, OK 73106
1-888-534-5243